



Northern Region

Review

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This publication provides current information on environmental activities and events relevant to U.S. Army interests in the 22 States and Territories in Federal Regions I, II, III and V. The Review is intended to be a tool useful to Department of Defense and Army environmental decision makers, planners, and program managers in carrying out their responsibilities.

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U.S. Environmental Protection Agency News

Air Emissions Management

EMISSION STANDARDS FOR ARCHITECTURAL COATINGS

The U.S. Environmental Protection Agency (EPA) has made numerous corrections and clarifications to a 11 September 1998 final rule (63 FR 48848) concerning volatile organic compound (VOC) emissions from architectural coatings. However, the corrections do not change the VOC content limits or the level of health protection for architectural coatings. The final rule was published in the 30 June 1999 *Federal Register* (64 FR 34997). For further information contact: Linda Herring, EPA, Coatings and Consumer Products Group, Emission Standards Division, (919) 541-5358, e-mail: herring.linda@epa.gov.

CONSTRUCTED OR RECONSTRUCTED MAJOR SOURCES

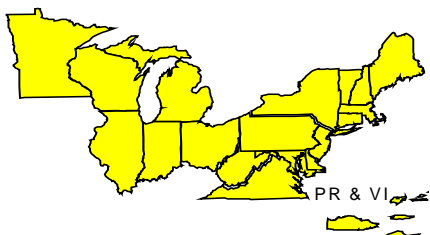
The U.S. Environmental Protection Agency (EPA) is providing a longer time period (up to 30 months) during which the EPA Regional Administrator may determine maximum achievable control technology (MACT) emission limitations for permitting authorities that have not established MACT procedures for constructed or reconstructed major sources. The purpose of the action is to ensure that major sources can obtain MACT determinations in jurisdictions where the permitting authorities need extra time to establish procedures to implement CAA section 112(g). The proposed (64 FR 35110) and direct final (64 FR 35029) rules were published in the 30 June 1999 *Federal Register*. For further information contact: Kathy Kaufman, EPA, Information Transfer and Program Integration Division, (919) 541-0102.

CONTROL TECHNIQUES GUIDELINES FOR CONSUMER AND COMMERCIAL PRODUCTS

The U.S. Environmental Protection Agency (EPA) has reissued control techniques guidelines (CTG) for the wood furniture coatings, aerospace coatings, and shipbuilding and ship repair coatings consumer and commercial product categories under section 183(e) of the Clean Air Act (Act). The CTGs do not include any binding regulations, but rather define the level of control to be reflected in state regulations for these categories. The notice announcing the

reissuance of the CTG was published in the 13 July 1999 *Federal Register* (64 FR 37783). For further information contact: Daniel Brown, EPA, Coatings and Consumer Products Group, Emission Standards Division, (919) 541-5305, e-mail: brown.dan@epa.gov.

NATIONAL EMISSION STANDARDS FOR HALOGENATED SOLVENT CLEANING The U.S. Environmental Protection Agency (EPA) has amended its national emission standard for hazardous air pollutants (NESHAP) for halogenated solvent cleaning operations. The action: (1) permanently exempts nonmajor (or "area") batch cold solvent cleaning machines that use halogenated solvent from the federal operating permit program; and (2) defers federal operating permit requirements until 9 December 1999 for all other nonmajor halogenated solvent cleaning machines. Since state programs are already allowed to exempt/defer such sources from their requirements for title V operating permits, the action will treat halogenated solvent cleaning operations by the federal Operating Permits Program in the same way they are treated by state operating permit programs. Entities affected by this action include stationary air sources that are nonmajor halogenated solvent cleaning machines (degreasers) that are: (1) subject to subpart T of 40 CFR part 63; and (2) subject to the Federal Operating Permits. The direct final rule was published in the 13 July 1999 *Federal Register* (64 FR 37683). For further information contact: Candace Carraway, EPA, Office of Air Quality Planning and Standards, (919) 541-3189.



SUBMISSIONS

To The Northern Region Review

We encourage feedback, and welcome suggestions for expanded or improved coverage. Please contact us at:

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Past and current issues of the Northern Region Review (formerly the Regional Update) can be found on the Army Environmental Center's web site at <http://aec.army.mil/>. Look under Regional Offices.

NATIONAL EMISSION STANDARDS FOR OFF-SITE WASTE AND RECOVERY OPERATIONS The U.S. Environmental Protection Agency (EPA) has amended the national emission standards for hazardous air pollutants (NESHAP) for off-site waste and recovery operations (OSWRO). The rule applies to facilities that are major sources of hazardous air pollutants (HAP) and manage certain wastes, used oil, or used solvents received from off-site locations. The direct final rule was published in the 20 July 1999 *Federal Register* (64 FR 38950). The effective date is 20 September 1999. For further information contact: Elaine Manning, EPA, Waste and Chemical Processes Group, Emission Standards Division, (919) 541-5499, e-mail: manning.elaine@epa.gov.

STRATEGY TO REDUCE AIR TOXICS The U.S. Environmental Protection Agency (EPA) has published its Integrated Urban Air Toxics Strategy (Strategy) whose purpose is to further reduce toxic air emissions in hundreds of areas across the country, particularly in urban areas. The Strategy is required by the Clean Air Act and provides: (1) a description of the agency's risk reduction goals; (2) a list of 33 hazardous air pollutants (HAPs) judged to pose the greatest potential threat to public health in the largest number of urban areas, including 30 HAPs specifically identified as being emitted from smaller industrial sources known as "area" sources; (3) a list of 13 additional industrial categories which emit a substantial portion of these HAPs, and which are being considered for regulation under section 112(d); (4) a description of actions to reduce toxics from mobile sources and diesel particulate matter (PM); and (5) a discussion of how the EPA will work in partnership with state, local and Tribal governments to monitor air toxic levels and develop plans and actions to reduce toxic air pollution. The notice describing the Strategy was published in the 19 July 1999 *Federal Register* (64 FR 38706). For further information contact: Laura McKelvey, EPA, Office of Air Quality Planning and Standards, (919) 541-5497, e-mail: mckelvey.laura@epa.gov.

Enforcement

CONSOLIDATED RULES OF PRACTICE (CROP) The U.S. Environmental Protection Agency (EPA) has revised its Consolidated Rules of Practice (CROP) which contain the procedures the agency uses to assess administrative penalties, issue compliance or corrective action orders for violations of environmental regulations, and revoke, terminate or suspend certain permits. The revisions will eliminate inconsistencies and uncertainties in administrative enforcement proceedings without compromising the regulated community's right to a fair and impartial hearing. The revisions also include better, easy-to-understand language and provide for a more efficient resolution process. In situations where the new rule would cause substantial injustice in an ongoing case, the presiding officer may continue to apply the old rules. The effective date is 23 August 1999. The final rule was published in the 23 July 1999 *Federal Register* (64 FR 40138). For further information contact: EPA, Scott Garrison, Office of Enforcement and Compliance Assurance, Office of Regulatory Enforcement, (202) 564-4047.

Hazardous Waste Management

HAZARDOUS WASTE LAMPS The U.S. Environmental Protection Agency (EPA) has added hazardous waste lamps (waste lamps that are hazardous due to exhibiting one or more of the characteristics of hazardous waste) to the federal universal waste rule. The action also: (1) clarifies that all hazardous waste lamps fall within the scope of the universal waste rule; and (2) finalized a single definition of "lamp" or "universal waste lamp" rather than having separate definitions for "electric lamp" and "mercury-containing lamp." Mercury-containing lamps include fluorescent, high pressure sodium, mercury vapor, and metal halide lamps. The rule is intended to: (1) minimize releases of mercury to the environment during accumulation and transport; (2) ensure safe handling of such lamps; and (3) keep spent mercury-containing lamps out of municipal waste management facilities (both landfills and solid waste incinerators). The effective date is 6 January 2000. The final rule was published in the 6 July 1999 *Federal Register* (64 FR 36466). For general information contact EPA's RCRA/Superfund/EPCRA/UST Hotline at (800) 424-9346 or (703) 412-9810 in the Washington, D.C. metropolitan area. For technical information contact: Marilyn Goode, EPA, Office of Solid Waste, (703) 308-8800, e-mail: goode.marilyn@epamail.epa.gov.

LAND DISPOSAL RESTRICTIONS MERCURY TREATMENT STANDARDS The U.S. Environmental Protection Agency (EPA) has extended the comment period from 27 July 1999 to 25 October 1999 for a 28 May 1999 advance notice of proposed rulemaking (ANPRM) concerning Land Disposal Restrictions treatment standards for mercury-bearing hazardous wastes (64 FR 28949). The ANPRM requested comment on the agency's waste generation and treatment data for mercury-bearing hazardous waste, as well as on technical and policy issues regarding mercury waste treatment, and potential avenues by which current mercury treatment standards might be revised. The notice announcing the extension of the comment period was published in the 27 July 1999 *Federal Register* (64 FR 40534). For general information contact: EPA's RCRA Hotline, (800) 424-9346 or (703) 412-9810 in the Washington, DC local calling area. For technical information contact: EPA, Office of Solid Waste- Rita Chow (703) 308-6158 or Josh Lewis (703) 308-7877.

Wastewater Management

GENERAL PRETREATMENT REGULATIONS FOR EXISTING AND NEW SOURCES OF POLLUTION The U.S. Environmental Protection Agency (EPA) is proposing to revise several provisions of the agency's General Pretreatment Regulations. The regulations address restrictions on and oversight of industrial users who introduce pollutants into publicly owned treatment works (POTWs). The agency is also proposing to change certain program requirements to be consistent with National Pollutant Discharge Elimination System (NPDES) requirements. The rulemaking would reduce the regulatory burden on industrial users and state and POTW Control Authorities. Comments are due on or before 20 September 1999. The proposed rule was published in the 22 July 1999 *Federal Register* (64 FR 39564). For further information contact: Jeffrey Smith, EPA, Office of Wastewater Management (OWM), Permits Division, (202) 260-5586.

TRANSPORTATION EQUIPMENT CLEANING POINT SOURCE CATEGORY The U.S. Environmental Protection Agency (EPA) has published a notice providing new data submissions concerning the Transportation Equipment Cleaning Point Source Category. The data contained in the notice: (1) presents a summary of data received in comments and an assessment of the usefulness of the data in EPA's analyses; (2) presents new data to support effluent limitations in the Barge/Chemical & Petroleum Subcategory; (3) presents a change from the mass-based limits format in a 25 June 1998 proposed rule (63 FR 34685); (4) presents a modified subcategorization approach; (5) reviews technology options considered for regulation; and (6) discusses other specific issues raised by commenters.

including: (a) selection of pollutants proposed for regulation, (b) the costs associated with the regulation, (c) a low flow exclusion, and (d) the applicability of the rule. Transportation equipment cleaning (TEC) facilities are defined as facilities that generate wastewater from cleaning the interior of tank trucks, closed-top hopper trucks, rail tank cars, closed-top hopper rail cars, intermodal tank containers, inland tank barges, closed-top hopper barges, ocean/sea tankers, and other similar tanks (excluding drums and intermediate bulk containers) used to transport materials or cargoes that come into direct contact with the tank or container interior. Comments are due on or before 20 September 1999. The notice of data availability was published in the 20 July 1999 *Federal Register* (64 FR 38863). For additional technical information contact: John Tinger, (202) 260-4992, e-mail: tinger.john@epa.gov. For economic information contact: George Denning, (202) 260-7374, e-mail: denning.george@epa.gov.

U.S. DEPARTMENT OF TRANSPORTATION NEWS

Hazardous Materials Management

TRANSPORTATION OF BATTERIES AND DEVICES THAT CONTAIN BATTERIES Recently, several incidents have occurred in which batteries or other devices that contain batteries have short-circuited or otherwise functioned in such a manner so as to generate heat, smoke, or initiate a fire during transportation. In response, the U.S. Department of Transportation (DOT), Research and Special Programs Administration (RSPA), has issued guidance to reiterate that any battery or electrical device that could create sparks or generate heat may be transported only when adequately protected from such an occurrence. The advisory guidance was published in the 7 July 1999 *Federal Register* (64 FR 36743). For further information contact: Eric Nelson, RSPA, Office of Hazardous Materials Standards, (202) 366-8553.

U.S. FISH AND WILDLIFE SERVICE NEWS

Endangered and Threatened Wildlife and Plants

BALD EAGLE The U.S. Fish and Wildlife Service (FWS) is proposing to remove the bald eagle (*Haliaeetus leucocephalus*) from the List of Endangered and Threatened Wildlife. The bald eagle ranges throughout much of North America, nesting on both coasts from Florida to Baja California, Mexico in the south, and from Labrador to the western Aleutian Islands, Alaska in the north. Although the rulemaking would remove the protection afforded the bald eagle under the Endangered Species Act, the provisions of the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act including prohibitions on the taking of bald eagles would remain in place. *Haliaeetus leucocephalus* is known to occur on or contiguous to the following installations located in the NREO area of responsibility: **Illinois** - Rock Island and Savanna AD; **Indiana** - Newport Chem Act and Camp Atterbury; **Maryland** - APG and Adelphi; **Massachusetts** - Devens RFTA; **Minnesota** - Twin Cities, Camp Ripley and Camp Grayling; **New Jersey** - ARDEC; **New York** - West Point Military Academy; **Ohio** - Ravenna AAP; **Pennsylvania** - Chas E Kelly; **Virginia** - Ft AP Hill, Ft Belvoir, Ft Eustis and Ft Lee; and **Wisconsin** - Ft McCoy. Comments are due on or before 5 October 1999. The proposed rule was published in the 6 July 1999 *Federal Register* (64 FR 36454). For further information contact: Mary Reed, U.S. Army Environmental Center, (410) 436-1564, DSN 584-1564, e-mail: mary.reed@aec.apgea.army.mil or Jody Gustitus Millar, FWS, (309) 793-5800 ext. 524.

CANADA LYNX The U.S. Fish and Wildlife Service (FWS) has extended the deadline from 8 July 1999 to 8 January 2000 for final action on its proposal rule to list the Canada lynx (*Lynx canadensis*) as a threatened species. The FWS listing includes the following states in the NREO area of responsibility: (1) a resident lynx population exists in **Maine** and possibly exists in **Minnesota**; (2) a resident lynx population is very rare and likely extirpated from **New Hampshire, Vermont and New York**; (3) a resident lynx population is extirpated from **Pennsylvania and Massachusetts**; (4) a resident lynx population no longer exists in **Wisconsin**, although individual animals are most likely present; and (5) a resident lynx population may occur in **Michigan's** upper peninsula. The notice announcing the extension of the comment period was published in the 8 July 1999 *Federal Register* (64 FR 36836). For further information contact: Mary Reed, U.S. Army Environmental Center, (410) 436-1564, DSN 584-1564, e-mail: mary.reed@aec.apgea.army.mil or Kemper McMaster, FWS, (406) 449-5225.

ASSISTANCE/GUIDANCE

TREATMENT TECHNOLOGIES FOR SITE CLEANUP ANNUAL STATUS REPORT The U.S. Environmental Protection Agency (EPA) has published the Ninth Edition of its "Treatment Technologies for Site Cleanup Annual Status Report" The report contains information about treatment technologies used at more than 900 hazardous waste

sites. The latest edition has been expanded to include a broad range of treatment technologies such as control and innovative groundwater treatment technologies used at Superfund sites, Resource Conservation and Recovery Act (RCRA) corrective action sites and Department of Defense and Department of Energy sites. Detailed project information is available in a new searchable electronic database, entitled EPA REACH IT. The database can be found on the Internet at: <http://www.epareachit.org/>. The report is available on the Internet at: <http://clu-in.org/>. Hard copies can be ordered from EPA's National Service Center for Environmental Publications by calling: 1-800-490-9198.

REPORT ABOUT NON-COMPLIANCE WITH ENVIRONMENTAL REGULATIONS The U.S. Environmental Protection Agency (EPA) and the Chemical Manufacturers Association (CMA) have published the "EPA/CMA Root Cause Analysis Pilot Project Report." The report examines the underlying causes of environmental violations in 47 federal civil enforcement cases between 1990 and 1995. Ninety-four percent of the respondents identified multiple causes for single non-compliance events. The leading causes for non-compliance included individual responsibility and lack of awareness of regulatory requirements. The report highlights the role environmental management systems (EMSs) can play in promoting compliance. The report indicates that adjustments by both government and industry could help improve compliance performance. For example, the report suggests that EPA provide technical assistance and compliance assistance tools that better match industry needs. On the industry side, the report states that more emphasis should be placed on developing and maintaining comprehensive, well-integrated and clearly articulated EMSs. The report can be downloaded from the Internet at: <http://www.epa.gov/oeca/ccsmd/>. For further information contact: Tracy Back, EPA, (202) 564-7076.

RISK-SCREENING ENVIRONMENTAL INDICATORS The U.S. Environmental Protection Agency (EPA) has issued a new tool to compare information about pollution in local communities. The tool, entitled "Risk-Screening Environmental Indicators," employs national data on toxic chemical emissions from EPA's Toxic Release Inventory. More specifically, the tool can be used to compare relative risks from toxic chemicals grouped by categories like cities, states, and industrial facilities; and, based on factors such as: pounds of pollutants released, relative toxicity, population and exposure data. It is important to note that these relative-risk rankings can only be used for comparing one industrial facility to another. The information is not intended for quantifying actual risks posed to public health from any single facility, geographical area or other category. Such comparisons are meant to be helpful only for identifying and prioritizing areas for further research and attention. Additional information is available on the Internet at: http://www.epa.gov/opptintr/env_ind/index.html.

THE YELLOW BOOK: GUIDE TO ENVIRONMENTAL ENFORCEMENT AND COMPLIANCE AT FEDERAL FACILITIES The U.S. Environmental Protection Agency (EPA) has published "The Yellow Book: Guide to Environmental Enforcement and Compliance at Federal Facilities." The publication is intended to be used as a tool to help federal facilities comply with environmental requirements and to explain the compliance and enforcement processes used by EPA and states. The Yellow Book is available on the Internet at: <http://es.epa.gov/oeca/fedfac/yellowbk/index.html>.

MEETINGS, WORKSHOPS AND CONFERENCES

ENVIRONMENTAL PROBLEM SOLVING WITH GIS The U.S. Environmental Protection Agency (EPA), Office of Research and Development's (ORD), National Risk Management Research Laboratory (NRMRL) is sponsoring a national conference on the application of GIS to environmental problem solving. The conference will be held **22-24 September 1999** in Cincinnati, Ohio. For further information contact: Rebecca Glos, (703) 318-4797, e-mail: rebecca.l.glos@cpmx.saic.com.

NATIONAL RECYCLING COALITION 18TH ANNUAL CONGRESS AND EXPOSITION The DOD/Federal Environmental Executive (FEE) Confluence Program will be held **26-29 September 1999** in Cincinnati, Ohio. Special DoD Sessions include: (1) Plenary Session; (2) DoD Breakout Sessions (US Air Force, US Army, US Navy, US Marines, and USAF-AFMC); (3) Increasing Diversion; (4) Partnering & Regionalization; (5) Education and Awareness; and (6) Defense Logistics Agency Workshop for Recycling Managers (this workshop will provide an opportunity for recycling managers to interact with DRMS zone managers, DRMO chiefs, and property management branch supervisors in order to improve working relationships between DRMOs and installation recycling programs). For further information contact: Gregory Schirf, Navy, (703) 604-5424 or visit the Internet at: <http://www.navyrecycling.com/>.

ARMY PEST MANAGEMENT QUALITY ASSURANCE EVALUATOR (PMQAE)/INSTALLATION PEST MANAGEMENT COORDINATOR (IPMC) WORKSHOP The Army Medical Department Center and School (AMEDD C&S) and USAEC are conducting a workshop **27 September-1 October 1999** at Aberdeen Proving Ground,

Maryland. The workshop is intended to meet the training needs of Army PMQAE and IPMC personnel. For further information contact: AMEDD C&S, (210) 221-6801/7682/8261, DSN 471-6801/7682/8261.

U.S. EPA INNOVATIVE CLEAN-UP APPROACHES CONFERENCE The U.S. Environmental Protection Agency's (EPA's) Innovative Clean-Up Approaches Conference will be held **2-4 November 1999** in Bloomingdale, Illinois. Technical presentation topics include: (1) site characterization; (2) treatment of recalcitrant compounds; (3) monitored natural attenuation; (4) dense non-aqueous phase liquids; (5) groundwater treatment: permeable reactive barriers, pump and treat enhancements and oxidation; (6) in-situ soil treatment: bioremediation and phytoremediation; and (7) metals in soils. Workshop topics include: (1) SITE program; (2) Brownfields; (3) EPA Research Grants; (4) Science to Achieve Results (STARS) program; (5) Small Business Innovative Research (SBIR) program; and (6) electronic information resources. For further information contact: (412) 741-5462.

JOINT SERVICES P2/HAZARDOUS WASTE MANAGEMENT (HWM) CONFERENCE & EXHIBITION The Fourth Annual Joint Services P2 Conference and Exhibition, "Environmental Stewardship for the Next Millennium," will be held **6-9 December 1999** in San Antonio, Texas. The conference agenda will become available in October. For further information visit the Internet at: <http://www.ndia.org/events/brochure/040/040.htm>.

WATER REUSE 2000 The U.S. Environmental Protection Agency (EPA) is cosponsoring Water Reuse 2000, on **30 January-2 February 2000**, in San Antonio, Texas. Abstracts are being solicited to cover all aspects of water reuse, including: (1) agricultural reuse applications; (2) dual distribution system design and operation; (3) cross-connection control; (4) disinfection; (5) public outreach and education; (6) environmental enhancement through reuse; (7) health effects and risk assessment; (8) industrial reuse applications; (9) indirect potable reuse; (10) urban irrigation applications; (11) golf courses and parks; (12) regional program planning; (13) project economics, pricing, and financing, rate setting and capital funding; (14) regulatory and institutional issues; (15) research projects; (16) reclaimed water treatment technologies; (17) innovative urban reuse applications; (18) toilets, car washes and graywater systems; and (19) water quality issues. For further information contact: Lynda Pumphrey, (303) 347-6203, e-mail: lpumphre@awwa.org. Information also can be obtained from the Internet at: <http://www.awwa.org/00reuse/call/overview.htm>.

REAL WORLD AIR CONFERENCE AND EXHIBITION, CALL FOR PAPERS AND EXHIBITS The U.S. Army Forces Command and the U.S. Army Center for Health Promotion and Preventive Medicine (CHPPM) are partnering to conduct the second Real World Air Conference. The conference is intended to address current air pollution issues affecting federal facilities. The conference will be held **15-18 May 2000** in Atlanta, Georgia. Abstract topics include: (1) Pollution Prevention; (2) Particulate Matter (Both PM10 and PM2.5); (3) National Emission Standards for Hazardous Air Pollutants; (4) Regional Pollutant Transport; (5) Ozone Depleting Chemicals; (6) Sampling Methods; (7) Open burning/open detonation; (8) Emergency Planning and Community Right to Know Act (EPCRA); (9) Air Pollution Health Studies; (10) Legal Issues; (11) ISO 14000; (12) GIS Applications; and (13) Miscellaneous Issues. Abstracts must be received no later than 1 October 1999 and should be submitted electronically to Rochelle Williams at: williaro@FORSCOM.army.mil. Please use "abstract submittal" as the message subject. For additional information contact: Sherri Hutchens, (410) 436-8149, email: sherri.hutchens@apg.amedd.army.mil or Rochelle Williams, (404) 464-7695, email: williaro@FORSCOM.army.mil. Additional information can also be found on the Internet at: <http://chppm-www.apgea.army.mil/air/airconf/conf.htm>.

Region I

**Connecticut, Maine, Massachusetts, New Hampshire,
Rhode Island And Vermont**

CONNECTICUT

Air Emissions Management

NITROGEN OXIDE (NOx) BUDGET PROGRAM The Department of Environmental Protection (DEP) is proposing to amend regulations under RCSA 22a-174-22b for the purpose of implementing a NOx emissions reduction program. The rulemaking would: (1) establish the Post-2002 Nitrogen Oxide Budget Program; and (2) provide for sources to buy and trade NOx allowances from a source in another state participating in an equivalent program. The proposal would

affect fossil-fuel-fired boilers or indirect heat exchangers with a maximum rated heat input capacity of 250 million BTUs per hour or more. For further information contact: Ellen Walton, DEP, Bureau of Air Management, Planning, and Standards Division, (860) 424-3027.

MAINE

Air Emissions Management

LOW-SULFUR FUEL The Department of Environmental Protection (DEP) has amended regulations under MAC Chapter 106 concerning low-sulfur fuel. The action allows oil sampling and analysis in lieu of continuous emission monitoring. For further information contact: Jeff Crawford, DEP, (207) 287-2437.

MASSACHUSETTS

Air Emissions Management

EMISSIONS INSPECTIONS The Executive Office of Public Safety (EOPS), Registry of Motor Vehicles, has amended regulations under 540 CMR 4.00 through 4.09 and repealed regulations under 540 CMR 5.00 through 5.10 concerning periodic annual staggered safety, and combined safety and emissions inspections of all motor vehicles. The action: (1) establishes a program for inspecting the safety and emissions of motor vehicles; (2) requires motorists to repair a vehicle that fails the emissions inspection in a reasonable time period or obtain a waiver; and (3) deletes duplicative provisions. For further information contact: Robert Horack, EOPS, Registry of Motor Vehicles, (617) 351-9946.

NITROGEN OXIDE (NOx) SIP CALL The Department of Environmental Protection (DEP), Bureau of Waste Prevention, is proposing to amend regulations under 310 CMR 7.00 and 7.28. The rulemaking would revise air pollution control and NOx allowance trading program standards to comply with federal requirements under 40 CFR 51, 72, 75, and 96. For further information contact: Paul Hibbard, DEP, Bureau of Waste Prevention, (617) 574-6801.

Fees

EMISSIONS INSPECTION/MAINTENANCE PROGRAM The Department of Environmental Protection and the Registry of Motor Vehicles has amended regulations under 801 MAC 4.02 to establish fees for the emissions inspection and maintenance program. The action: (1) increases the fee charged to perform safety or combined safety and emissions inspections from \$15 to \$23 per inspection; and (2) provides a new annual inspector license fee of \$25. For further information contact: Melissa Cummings, Executive Office for Administration and Finance, (617) 727-2040.

Potable Water Management

METHYL TERTIARY-BUTYL ETHER The Department of Environmental Protection (DEP) has amended regulations under 310 CMR 22.07C concerning monitoring and reporting requirements for public drinking water suppliers. The action: (1) adds methyl tertiary-butyl ether (MTBE) to the list of unregulated VOC contaminants; and (2) sets forth MTBE sampling requirements. For further information contact: Damon Guterman, DEP, (617) 574-6811.

Toxic Substances Management

TRANSPORTATION/INDUSTRIAL RADIOGRAPHERS The Department of Public Health (DPH) has amended regulations under 105 CMR 120.000 regarding the control of radiation. The action: (1) revises provisions governing the transportation of radioactive materials pursuant to recent changes made by the Nuclear Regulatory Commission; (2) adds provisions governing therapeutic radiation machines; and (3) updates provisions governing industrial radiographer certification and X-rays in the healing arts. For further information contact: Robert Hallisey, DPH, Radiation Control Program, (617) 727-6214.

LEAD POISONING PREVENTION AND CONTROL The Department of Public Health is proposing to amend regulations under 105 CMR 460.000 concerning lead poisoning prevention and control. The rulemaking would: (1) establish a program to permit property owners, their agents or licensed lead-safe renovator contractors to perform specified moderate-risk abatement activities without a deleader's license; (2) codify the process for assessment and correction of new violations in homes that have previously been issued letters of full compliance; (3) establish more

protective floor dust lead abatement clearance standards; and (4) update and streamline requirements. For further information contact: Roy Petre, Childhood Lead Poisoning Prevention Program, (617) 626-2060.

NEW HAMPSHIRE

Wetlands Management

HYDRIC SOILS The Department of Environmental Services (DES), Wetlands Bureau, has amended regulations under NHAR Wt 301.01(c). The action: (1) incorporates by reference the July 1998 version of "Field Indicators for Hydric Soils in New England;" (2) reflects an improvement in identification and documentation of hydric soils and wetlands boundaries; and (3) provides field indicators for identifying hydric soils by region. The rule expires 29 June 2007. For further information contact: Paul Martin, DES, Wetlands Bureau, (603) 271-4195.

Region II

New Jersey, New York, Puerto Rico
And the Virgin Islands

NEW JERSEY

Air Emissions Management

BOILERS/PRESSURE VESSELS/REFRIGERATION EQUIPMENT The Department of Community Affairs (DCA), Division of Codes and Standards, is proposing to: (1) amend numerous regulations under NJAC 5:11-1.3 through -6.2 (nonconsecutive); (2) recodify, with amendments, regulations under NJAC 5:11-7 through -9 as NJAC 5:11-8 through -10; (3) adopt regulations under new Sections NJAC 5:11-3.12, -3.13, -5.18, -7.1, and -7.2; and (4) repeal regulations under NJAC 5:11-4.15 and -4.16. The rulemaking would: (1) reflect the acceptance of boilers and pressure vessels constructed in other countries under alternative boiler and pressure vessel construction codes; (2) revise applicability to include model steam boilers; (3) address certification of owner-users of unfired pressure vessels to perform inspections; (4) establish standards for entities engaged in disassembling, inspecting, or repairing pressure relief valves for use on boilers, pressure vessels, or refrigeration equipment; (5) include new reporting requirements in the event of an accident or malfunction; (6) add definitions; (7) update references; (8) eliminate unnecessary language; and (9) make technical and editorial corrections. For further information contact: Michael Ticktin, DCA, (609) 292-7899.

Permits

PERMIT REVIEW TIME FRAME GOALS The Department of Environmental Protection (DEP), Office of Pollution Prevention and Permit Coordination, has revised the time-frame for meeting its goals concerning the review of permits issued under the Environmental Management Accountability Act. The goals specify the time required by the department to review a project when it is both administratively and technically complete. Affected are the water supply program, solid waste facility permits, and hazardous waste facility permits. For further information contact: DEP, Office of Pollution Prevention and Permit Coordination, (609) 292-3600.

Worker and Community Right-to-Know Standards

WORKER AND COMMUNITY RIGHT-TO-KNOW ACT The Department of Health and Senior Services (DHSS), Division of Epidemiology, Environmental, and Occupational Health, is proposing to readopt, with amendments, regulations under NJAC 8:59 concerning the Worker and Community Right-to-Know Act. The proposal would: (1) reflect changes in the right-to-know survey; (2) address the department's obligation to send out hazardous substance fact sheets to employers who report new hazardous substances in their updated surveys; (3) provide that existing, new, and reassigned employees and volunteers who have received initial right-to-know training must receive updated training every two years rather than every year; (4) add and revise definitions; (5) address training requirements on respirators and other personal protective equipment; (6) update references from which the hazardous chemicals on the right-to-know substance list are derived; and (7) eliminate unnecessary language. For further information contact: Richard Willinger, DHSS, Right-to-Know Program, (609) 984-2202.

EXECUTIVE ORDER 66 The Governor has waived the sunset provisions of Executive Order No. 66 (1978). The purpose of the action is to continue the effectiveness of the New Jersey Worker and Community Right-to-Know regulations under NJAC 7:1G. Although the standards currently employ the Standard Industrial Classification System, they will be replaced by a new coding system called the North American Industrial Classification System. The expiration date is 16 June 2000. For further information contact: Department of Environmental Protection, Office of Legal Affairs, (609) 292-0716.

NEW YORK

Regulatory Agenda

REGULATORY AGENDA The Department of Environmental Conservation (DEC) has issued its 1999 regulatory agenda. The agenda contains rulemaking information concerning: (1) air resources; (2) environmental permits; (3) environmental remediation; (4) mineral resources; (5) solid and hazardous materials; and (6) water. For further information contact: Andrea Bergstrom, DEC, Environmental Permits, (518) 457-6180.

Solid Waste Management

MUNICIPAL SOLID WASTE (MSW) LANDFILLS The U.S. Environmental Protection Agency (EPA) has conditionally approved New York's State Plan concerning MSW landfills. The plan: (1) implements MSW Landfill Emission Guidelines; (2) establishes performance standards for existing MSW landfills; and (3) provides for the implementation and enforcement of those standards. The proposed (64 FR 38617) and direct final (64 FR 38582) rules were published in the 19 July 1999 *Federal Register*. The effective date is 17 September 1999. For further information contact: EPA Region II, Air Programs Branch - Craig Flamm or Kirk Wieber, (212) 637-4249.

PUERTO RICO

Toxic Substances Management

LEAD-BASED PAINT MITIGATION ACTIVITIES CONTROL The Environmental Quality Board (EQB) has amended Puerto Rico's lead-based paint mitigation regulations. The action addresses: (1) compliance inspections; (2) noncompliance; (3) training program accreditation; (4) certification requirements; (5) request procedures; (6) work norms for carrying out mitigation activities; and (7) lead-free levels. For further information contact: EQB, (787) 767-8056.

Region III

**Delaware, Maryland, Pennsylvania, Virginia, West Virginia
and the District of Columbia**

DISTRICT OF COLUMBIA

Solid Waste Management

SOLID WASTE FACILITIES The Council of the District of Columbia has amended the district's Solid Waste Facility Permit Act. The action: (1) requires a compliance hearing prior to closing a solid waste facility; (2) provides for a summary closing with the opportunity for a post-closing hearing; and (3) clarifies that the rules of the court govern in cases of contempt. For further information contact: Council of the District of Columbia, (202) 724-8050.

PENNSYLVANIA

Guidance Documents

TECHNICAL GUIDANCE DOCUMENTS The Department of Environmental Protection (DEP) has issued: (1) a draft technical guidance document concerning radioactivity monitoring at municipal and residual waste processing and disposal facilities; (2) a final technical guidance document concerning the field data collection and evaluation protocol for determining stream and point source discharge design hardness; and (3) a final guidance document providing implementation guidelines for determining wasteload allocations and NPDES effluent limitations for toxic substances. For further information contact: Joe Sieber, DEP, (717) 783-8727.

Water Quality Management

PENNSYLVANIA DEP DEVELOPS VOLUNTEER WATER-MONITORING DATABASE The Department of Environmental Protection (DEP) has developed a new statewide database containing information collected by volunteer water monitors. The database has been posted on the Internet at: <http://www.dep.state.pa.us/> (choose Subjects/Senior Environment Corps). The database contains information from at least 140 volunteer monitoring groups that collect information at approximately 3,000 sampling stations. Information contained in the database can be used for education and planning purposes and can also be used to compare conditions within a watershed and between watersheds across the state. The database is organized into two components. The first component has fields for seven physical and chemical indicators of water quality, including pH; conductivity; water temperature; dissolved oxygen; nitrates; phosphorous; and sulfates. A habitat assessment and a water-quality rating based on benthic macro-invertebrate sampling also are part of this component. Organizations that want to use this component should contact Diane Wilson, DEP's citizens volunteer monitoring program coordinator, at (717) 787-3730, e-mail: wilson.diane@dep.state.pa.us. The second component of the database is comprised of fields for the seven physical and chemical indicators listed previously, as well as hardness, turbidity, chlorides, chlorophyll a, total dissolved solids, total suspended solids, aluminum, manganese, iron, fecal coliform, and Secchi depth. For further information contact: Susan Rickens, Pennsylvania Department of Environmental Protection, (717) 787-1323 or Larissa Johnson, Pennsylvania Department of Aging, (717) 783-1549.

ANTIDEGRADATION REQUIREMENTS The Department of Environmental Protection (DEP) has amended regulations under 25 PAC 93 and 95 concerning the state's water quality standards and antidegradation requirements. The action: (1) retains exceptional value (EV) waters and high-quality (HQ) waters as protected uses; (2) allows water to qualify as HQ by meeting either a chemical or biological test; (3) specifies requirements for qualification as an EV water; (4) adds definitions; (5) establishes a process to protect existing uses as required by federal regulations; (6) specifies chemicals for qualifying a water for HQ protection; and (7) determines whether persons petitioning the Environmental Quality Board to change a designation to HQ or EV should be required to provide a list of landowners in the watershed. For further information contact: Edward Brezina, DEP, Division of Water Quality Assessment and Standards, (717) 787-9637.

WEST VIRGINIA

Air Emissions Management

STATIONARY CONTROLS The Office of Air Quality has amended regulations under: (1) 45 CSR 8 and 9 concerning particulate matter and ozone standards; (2) 45 CSR 16 regarding new source performance standards; (3) 45 CSR 24 addressing medical waste incinerator emissions standards; (4) 45 CSR 25 concerning emissions from RCRA facilities; (5) 45 CSR 34 regarding National Emission Standards for Hazardous Air Pollutants (NESHAPs); and 45 CSR 36 concerning transportation conformity. The action adopts U.S. EPA actions promulgated through 1 June 1998. For further information contact: Karen Wilson, Division of Environmental Protection, (304) 558-0885.

Permits

A GUIDE TO ENVIRONMENTAL PERMITTING IN WEST VIRGINIA The West Virginia Division of Environmental Protection (DEP) has developed a tool entitled, "A Guide to Environmental Permitting in West Virginia" designed to help permittees better understand environmental permitting requirements. The Guide can be downloaded from the Internet at: <http://www.dep.state.wv.us/>. To obtain a hard copy contact: DEP, (303) 759-0530.

Region V

Illinois, Indiana, Michigan, Minnesota,
Ohio and Wisconsin

ILLINOIS

Air Emissions Management

HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS The U.S. Environmental Protection Agency (EPA) has approved Illinois' State Plan for Hospital/Medical/Infectious Waste Incinerators (HMIWI). The State Plan adopts and implements EPA's Emissions Guidelines (EG) for existing HMIWIs. More specifically, the plan establishes control requirements for the following emissions: (a) particulate matter, (b) sulfur dioxide, (c) hydrogen chloride, (d) nitrogen oxides, (e) carbon monoxide, (f) lead, (g) cadmium, (h) mercury, (i) dioxin, and (j) dibenzofurans. Once effective, the rules included in the State Plan become federally enforceable. The effective date is 7 September 1999. The proposed (64 FR 36639) and direct final (64 FR 36600) rules were published in the 7 July 1999 *Federal Register*. For further information contact: Mark Palermo, EPA Region V, Air Programs Branch, (312) 886-6082.

Office of the Governor News

ENVIRONMENT AND NATURAL RESOURCE LEADERSHIP CABINET The Governor has signed Executive Order 99-10. The action establishes an Environment and Natural Resources Leadership Cabinet whose purpose is to: (1) coordinate key decisions impacting state environment and natural resources; (2) develop natural resources and environmental principles that consider the entire state; and (3) to identify and maximize state, federal, and private sources of assistance and support. The order requires the cabinet to seek public input, pursue public-private partnerships, and promote community-based planning on key issues affecting protection, conservation, enjoyment, and use of the state's environment and natural resources. For further information contact: Office of the Governor, (217) 782-6830.

Regulatory Agenda

REGULATORY AGENDA The Pollution Control Board (PCB) has issued a regulatory agenda that lists anticipated amendments to regulations under 32 IAC 101 through 820 (nonconsecutive) addressing various provisions, including: (1) hearings and proceedings; (2) variances; (3) permits; (4) identification and protection of trade secrets; (5) nitrogen oxides emissions; (6) nonmethane organic emissions; (7) toxic air contaminants; (8) nondegradation; (9) solid waste; (10) water supply standards; and (11) hazardous waste. For further information contact: Dorothy Gunn, PCB, (312) 814-6931.

INDIANA

Storage Tank Management

ABOVEGROUND STORAGE TANKS The Department of Environmental Management (DEM), Water Pollution Control Board, has adopted regulations under a new Rule 327 IAC 2-10 concerning aboveground storage tanks. The action establishes requirements for secondary containment and spill response plans for aboveground storage tanks containing hazardous materials. For further information contact: Jim Mahern, DEM, Office of Water Management, (317) 232-3039.

Air Emissions Management

STATE IMPLEMENTATION PLAN (SIP) The U.S. Environmental Protection Agency (EPA) has approved several revisions and rescissions to Michigan's SIP. The action approves a number of rule rescissions and revisions concerning: (a) degreasing, (b) perchloroethylene dry cleaning, (c) petroleum refining, (d) synthetic organic chemical manufacturing, and (e) delivery vessel loading operations. The effective date is 20 September 1999. The proposed (64 FR 39110) and direct final (64 FR 39034) rules were published in the 21 July 1999 *Federal Register*. For further information contact: Kathleen D'Agostino, EPA Region V, Air Programs Branch, Air and Radiation Division, (312) 886-1767.

- INTERNET RESOURCES -

FEDERAL SOURCES

- U.S. AEC <http://aec.army.mil/>
- U.S. EPA <http://www.epa.gov/>
 - REGION I <http://www.epa.gov/region01/>
 - REGION II <http://www.epa.gov/region2/>
 - REGION III <http://www.epa.gov/region03/index.htm>
 - REGION V <http://www.epa.gov/region5/>
- USDA <http://www.usda.gov/>
- DOI <http://www.doi.gov/>
- FEDERAL REGISTER http://www.access.gpo.gov/su_docs/aces/aces140.html
 - TABLE OF CONTENTS http://www.access.gpo.gov/su_docs/aces/fr-cont.html
- CODE OF FEDERAL REGULATIONS <http://www.access.gpo.gov/nara/cfr/cfr-table-search.html>
- ILLINOIS <http://www.state.il.us/>
- INDIANA <http://www.state.in.us/>
- MAINE <http://janus.state.me.us/homepage.asp>
- MARYLAND <http://www.mec.state.md.us/>
- MASS. <http://www.magnet.state.ma.us/massgov.htm>
- MICHIGAN <http://www.migov.state.mi.us/>
- MINNESOTA <http://www.state.mn.us/>
- NEW HAMPSHIRE <http://www.state.nh.us/>
- NEW JERSEY <http://www.state.nj.us/>
- NEW YORK <http://www.nysl.nysed.gov/ils/>
- OHIO <http://www.state.oh.us/>
- PENNSYLVANIA <http://www.state.pa.us/>
- PUERTO RICO <http://fortaleza.govpr.org/ingles/pris.htm>
- RHODE ISLAND <http://www.state.ri.us/>
- VERMONT <http://www.cit.state.vt.us/>
- VIRGIN ISLANDS <http://www.gov.vi/>
- VIRGINIA <http://www.state.va.us/>
- WEST VIRGINIA <http://www.state.wv.us/>
- WISCONSIN <http://www.state.wi.us/>

STATE/TERRITORY SOURCES

- CONNECTICUT <http://www.state.ct.us/>
- DELAWARE <http://www.state.de.us/>
- DISTRICT OF COLUMBIA <http://www.dccouncil.washington.dc.us/>

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